

The Honorable Christopher M. Alston  
Chapter 11  
Hearing Date: June 13, 2018  
Hearing Time: 9:30 a.m.  
Location: Courtroom 7206  
Response Date: June 6, 2018

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

In re

NORTHWEST TERRITORIAL MINT, LLC,

Debtor.

No. 16-11767-CMA

RESPONSE TO THE TRUSTEE'S  
MOTION FOR ORDER  
ESTABLISHING DEADLINE  
REGARDING DISPOSITION OF ROSS  
HANSEN'S PERSONAL PROPERTY

This memorandum is filed in response to the Trustee's Motion for Order Establishing Deadline Regarding Disposition of Ross Hansen's Personal Property. ECF 1662. The Trustee's motion misstates and omits facts related to this issue. The bottom line is that the Trustee "adamantly" refuses to permit Mr. Hansen to accompany his criminal counsel into the Dayton facility, thereby preventing him from (i) identifying documents needed for defense of the criminal charges against him, (ii) identifying and removing records that are not property of the estate (his personal records and records of other businesses he owned), and (iii) removing his other personal property. Access to the Dayton facility for purposes of identifying records to be retained for the criminal case is pending in the United States District Court for the Western District of Washington, before Judge Richard Jones in *U.S. v Hansen*, case no. 2:18-00092 (the "Criminal Case") (*see* docket no. 30). This Court can help shorten the process by ordering the

RESPONSE TO THE TRUSTEE'S MOTION FOR ORDER  
ESTABLISHING DEADLINE REGARDING DISPOSITION OF  
ROSS HANSEN'S PERSONAL PROPERTY - 1

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1 Trustee to grant Mr. Hansen and his criminal defense counsel access to the premises to review  
2 records and for Mr. Hansen to identify and retrieve his personal records and other personal  
3 property. Alternatively, the Court can await the outcome of the motion in the Criminal Case  
4 and then deal with any issues not resolved by the District Court.

### 5 **BACKGROUND**

6 The Trustee's approach to this issue and its motion is emblematic of his approach to this  
7 case. The Trustee's motion relies on a declaration signed by his counsel, which attaches one  
8 self-serving email written by his counsel. The undersigned counsel has no desire to engage in a  
9 he said/he said exchange with counsel for the Trustee. A series of recent emails between  
10 counsel is attached to Mr. Powers' declaration addressing the issues in general – but only if the  
11 Court wants to read them. As the Court is aware, Mr. Hansen was indicted on April 12, 2018,  
12 and his ability to travel to Dayton to retrieve non-NWTM and other personal property has been  
13 restricted. Mr. Powers' declaration attaches as Exhibit 2 recent emails from U.S. Probation and  
14 Pretrial Services stating that, while it is prepared to authorize Mr. Hansen to go with his  
15 criminal defense counsel to the Dayton facility, the Trustee "is adamant that Mr. Hansen cannot  
16 enter the building." Simply put, it appears that the Trustee setting up barriers to the ability of  
17 Mr. Hansen's criminal defense counsel ability to defend him, and for Mr. Hansen to ensure that  
18 the Trustee gives him his personal records and property.

19 At the last hearing, counsel for the Trustee claimed that there is a large volume of boxes  
20 of documents in the Dayton facility. Apparently, they have not been inventoried. There is no  
21 dispute that some of those documents are Mr. Hansen's personal records, and some are records  
22 of businesses that predate NWTM or Medallic Art Company and therefore not property of the  
23 estate. If they have not been inventoried, it is unclear how the Trustee could have decided  
24 which documents belong to the estate, and which documents do not. It simply defies logic that  
25 Mr. Hansen would be able to identify boxes with personal or other business records (let alone  
26 assist his criminal defense counsel in identifying NWTM documents necessary for his defense)  
27

1 without being permitted on the premises. Nor is it conceivable that the Trustee can come up  
2 with a justification for his refusal to allow Mr. Hansen on the “premises,” given that the  
3 business is now shut down.

4  
5 **DISCUSSION**

6 The Trustee may feign a cooperative attitude on this issue, but in reality is setting up  
7 unnecessary obstacles to resolution of them. The Court can and should put an end to this saga  
8 by entering an order that provides as follows:

9 The Trustee shall afford reasonable access to Mr. Hansen, accompanied by his  
10 criminal defense counsel, to enter the Dayton premises for the purposes of  
11 reviewing and cataloging documents held in that facility, and retrieving Mr.  
12 Hansen’s personal records and records of his other businesses, along with his  
13 other personal property, all on dates and at times approved U.S. Probation and  
14 Pretrial Services or as otherwise ordered in *U.S. v. Hansen*.

15 The alternative is for the Court to await a decision from the District Court, but that may  
16 take some time – if the Trustee will not agree to the above, he should not be heard to complain  
17 about delays in removing documents and other property from the Dayton facility.

18 DATED this 6<sup>th</sup> day of June, 2018 at Seattle, Washington.

19 Davis Wright Tremaine LLP  
20 Attorneys for Ross Hansen

21  
22 By /s/ Ragan L. Powers  
Ragan L. Powers, WSBA #11935

1 **PROOF OF SERVICE**

2 I certify that on June 6<sup>th</sup>, 2018, I electronically filed the foregoing with the Clerk of the  
3 Court using the CM/ECF system, which will send notification of such filing to those attorneys  
4 of record registered on the CM/ECF system:

5  
6 DATED this 6th day of June, 2018.

7 By: /s/ Ragan L. Powers  
8 Ragan L. Powers, WSBA #11935  
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